

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Pursuant to the authority of Iowa Code section 135.11, the Department of Public Health hereby amends Chapter 7, “Immunization and Immunization Education: Persons Attending Elementary or Secondary Schools, Licensed Child Care Centers or Institutions of Higher Education,” Iowa Administrative Code.

These amendments are necessary to implement 2013 Iowa Acts, Senate File 419, to modify the Iowa Immunization Registry (hereinafter referred to as the registry) to capture “health screening records” to include vision screening records specified in 2013 Iowa Acts, Senate File 419. The amendments also change the type of medical provider that will have access to the registry for the purpose of health screenings as well as how records are to be shared between agencies.

Notice of Intended Action was published in the December 11, 2013, Iowa Administrative Bulletin as **ARC 1229C**. No public comments were received.

After additional internal review and for clarification purposes, the definition of “nurse practitioner” was rescinded in new Item 2 and replaced with the definition of “advanced registered nurse practitioner” in renumbered Item 3. In renumbered Item 3, the definition of “health screening” was amended to omit the phrase “or other public health screening.” Also, the language in subrule 7.12(4) has been clarified.

The State Board of Health adopted these amendments on May 14, 2014.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2013 Iowa Acts, Senate File 419.

These amendments will become effective on July 16, 2014.

The following amendments are adopted.

ITEM 1. Amend rule **641—7.1(139A)**, definition of “Immunization registry,” as follows:

“*Immunization registry*” or “*registry*” means the database and file server maintained by the department as well as the software application that allows enrolled users to exchange immunization or health screening records.

ITEM 2. Rescind the definition of “Nurse practitioner” in rule **641—7.1(139A)**.

ITEM 3. Adopt the following **new** definitions in rule **641—7.1(139A)**:

“*Advanced registered nurse practitioner*” or “*ARNP*” means an advanced registered nurse practitioner as defined in 655—7.1(152).

“*Health screening*” means a vision screen or dental screen.

“*Screening provider*” means an ophthalmologist, optometrist, pediatrician, family practice physician, free clinic, child care center, local public health department, public or accredited nonpublic school, community-based organization, advanced registered nurse practitioner (ARNP), physician assistant, dentist or dental hygienist.

ITEM 4. Amend rule 641—7.11(22) as follows:

641—7.11(22) Iowa’s immunization Statewide registry.

7.11(1) *Statewide registry.* The department shall maintain a statewide immunization and health screening registry. Enrolled users are responsible for purchasing and maintaining all computer hardware related to use of the registry and for providing an Internet connection to transfer information between the user’s computer and the registry.

7.11(2) *Purpose and permitted uses of registry.*

a. The registry shall ~~consist of~~ contain immunization and health screening information, including identifying and demographic data, to allow enrolled users to maintain and access a database of immunization and health screening histories for purposes of ensuring that patients are fully immunized and screened.

b. and *c.* No change.

d. The registry shall contain health screening data, including screening results and follow-up information.

7.11(3) Release of information to the registry. Enrolled users shall provide immunization and health screening information, including identifying and demographic data, to the registry. Information provided may include, but is not limited to, the following:

a. to m. No change.

n. Date of health screening;

o. Health screening results;

p. Source of health screening;

q. Health screening follow-up information;

~~r.~~ Patient comments;

~~s.~~ Provider name, license, and business address; and

~~t.~~ Patient history, including previously unreported doses.

7.11(4) Confidentiality of registry information. Immunization and health screening information, including identifying and demographic data maintained on the registry, is confidential and may not be disclosed except under the following limited circumstances:

a. The department may release information from the registry to the following:

(1) The person ~~immunized~~ or the parent or legal guardian of the person immunized; or screened.

(2) No change.

(3) Persons or entities requesting immunization or health screening data in an aggregate form that does not identify an individual either directly or indirectly.

(4) to (6) No change.

(7) Enrolled users from other states or jurisdictions who have signed and completed enrollment in the state's or jurisdiction's immunization registry.

b. Enrolled users shall not release ~~immunization~~ data obtained from the registry except to the person ~~immunized~~, or the parent or legal guardian of the person immunized or screened, admitting officials of licensed child care centers and schools, medical or health care providers providing continuity of care, and other enrolled users of the registry.

ITEM 5. Amend rule 641—7.12(22) as follows:

641—7.12(22) Release of immunization and health screening information.

7.12(1) *Between a physician, physician assistant, nurse, ~~or~~ certified medical assistant, or screening provider and the elementary, secondary, or postsecondary school or licensed child care center that the student attends.* A physician, a physician assistant, a nurse, ~~or~~ a certified medical assistant, or a screening provider shall disclose a student's or patient's immunization or health screening information, including the ~~student's~~ name, date of birth, and demographic information, the month, day, year and vaccine(s) administered, health screening results and clinic source and location, to an elementary, secondary, or postsecondary school or a licensed child care center upon written or verbal request from the elementary, secondary, or postsecondary school or licensed child care center. Written or verbal permission from a student or parent is not required to release this information to an elementary, secondary, or postsecondary school or licensed child care center that the student attends.

7.12(2) *Among physicians, physician assistants, nurses, ~~or~~ certified medical assistants, or screening providers.* Immunization or health screening information, including the student's or patient's last name, first name, date of birth, and demographic information, the month, day, year and vaccine(s) administered, health screening results and clinic source and location, shall be provided by a physician, physician assistant, nurse, ~~or~~ certified medical assistant, or screening provider to another health care provider without written or verbal permission from the student, parent, ~~or~~ guardian or patient.

7.12(3) *Among an elementary school, secondary school, postsecondary school, and licensed child care center that the student attends.* An elementary school, secondary school, postsecondary school, and licensed child care center shall disclose a student's immunization or health screening information, including the student's last name, first name, date of birth, and demographic information, the month, day, and year of vaccine(s) administered, health screening results and clinic source and location, to

another elementary school, secondary school, postsecondary school, and licensed child care center that the student attends. Written or verbal permission from a student, or if the student is a minor, the student's parent or guardian, is not required to release this information to an elementary school, secondary school, postsecondary school, and licensed child care center that the student attends.

7.12(4) ~~Between~~ Among the department and a physician, physician assistant, nurse, certified medical assistant, screening provider, elementary school, secondary school, postsecondary school, and licensed child care center. A physician, physician assistant, nurse, certified medical assistant, elementary school, secondary school, postsecondary school, and licensed child care center shall disclose a student's immunization information in the format specified by the department, including the student's name, date of birth, grade, and demographic information, the month, day, year and vaccine(s) administered, and clinic source and location upon written or verbal request from the department. Written or verbal permission from a student or parent is not required to release this information to the department. A student's or patient's immunization or health screening information, including name, date of birth, grade, and demographic information; vaccine(s) administered and the month, day and year of administration; and health screening results, clinic source, and location, all in a format specified by the department, shall be disclosed upon written or verbal request among the department, physicians, physician assistants, nurses, certified medical assistants, screening providers, elementary schools, secondary schools, postsecondary schools, and licensed child care centers. Written or verbal permission from a student, patient, parent, or guardian is not required to release this information.

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